THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.23288 of 2005

Dated 02-11-2005

Between:

Mullapudi Naayana Sastry and another.

.. **PETITIONER**

AND

State of Andhra Pradesh represented by the Secretary

to Government of Andhra Pradesh and others.

.. **RESPONDENTS**

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ORDER:

The petitioner is an aided Educational Institution. According to it, Alwar Residential High School, Tenali-4th respondent, which was also admitted in grant-in-aid, has become defunct. The petitioner made a representation seeking transfer of an aided post of Drawing Teacher from the 4th respondent to their school with a view to absorb the second petitioner herein against the said post. When the request was not acceded to, the petitioners filed W.P.No.3551 of 2004. The writ petition was disposed of with a direction to respondents 1 and 2 to communicate their decision in the matter of transfer of aided post from R-4. Through its order in Memo, dated 13-05-2005, the first respondent rejected the request of the petitioner. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

The scheme of extending grant-in-aid to various private educational institutions is introduced with a view to extend financial benefit to private educational institutions, depending on the need. It is not as if every institution is entitled to be admitted in grant-in-aid and all the posts existing in such institution are to be covered by the scheme. It is only on being satisfied that the institutions are subserving public interest, that the Government extends the facility of grant-in-aid. The admission of posts, even in aided institutions would depend upon the assessment of work from time to time. Posts are admitted to grant-in-aid after verifying the necessity, in the institution. Transfer of aided posts from one institution to another is almost a rarity. It is only incumbents that are transferred from one institution to another institution against aided vacancies. If the petitioner is of the view that the post of Drawing Teacher has to be admitted to the grant-in-aid, it has to make out a case, independently for that purpose. The mere fact that the 4th respondent institution has become defunct, is not a ground, to enable the petitioner to seek transfer of post from it. Hence, no exception can be taken to the impugned order.

The writ petition is accordingly dismissed. No order as to costs.

L.NARASIMHA REDDY, J

Dated: 02-11-2005

Prv